

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

RICHARD LOWERY,

*Plaintiff,*

v.

LILLIAN MILLS, in her official capacity as Dean of the McCombs School of Business at the University of Texas at Austin; ETHAN BURRIS, in his official capacity as Senior Associate Dean for Academic Affairs of the McCombs School of Business at the University of Texas-Austin; CLEMENS SIALM, in his official capacity as Finance Department Chair for the McCombs School of Business at the University of Texas-Austin; and JAY HARTZELL, in his official capacity as President of the University of Texas-Austin,

*Defendants.*

Case No. 1:23-cv-00129-DAE

NOTICE OF APPEAL

Plaintiff Richard Lowery now appeals to the U.S. Court of Appeals for the Fifth Circuit from the Judgment of the U.S. District Court for the Western District of Texas – Austin Division dated October 2, 2024 [Dkt. 146], and including the following orders:

1. The district court's order dated October 2, 2024 (Order: (1) Granting Motion to Dismiss; (2) Granting Motion for Partial Summary Judgment; (3) Denying Motion to Defer Ruling on Partial Summary Judgment; and (4) Denying as Moot Motion to Dissolve Protective Order) [Dkt. 145];
2. The parts of the district court's order dated March 26, 2024 (Order Affirming Magistrate Judge's Orders) [Dkt. 124] overruling Plaintiff's objections to the

magistrate's rulings on (1) UT's documents reviewed in camera and withheld under claims of privilege, and (2) granting a protective order to block all discovery into allegations that Jay Hartzell engaged in nepotism by using state resources to benefit his son in admission to UT; and

3. The part of the district court's order dated September 5, 2023 (Order (1) Granting in Part and Denying in Part Motion to Dismiss; and (2) Denying without Prejudice Motion for Preliminary Injunction) [Dkt. 51] dismissing Plaintiff's First Amendment retaliation claim.

Defendants and their counsel are receiving notice of this appeal via notice of electronic filing.

Respectfully submitted,

Dated: October 30, 2024

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\* Not a D.C. Bar Member but providing legal services in the District of Columbia exclusively before federal courts, as authorized by D.C. Ct. App. R. 49(c)(3).